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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

1

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC

Defendants

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MAXWELL V. PRITT
IN SUPPORT OF DEFENDANTS UBER
TECHNOLOGIES, INC.'S AND
OTTOMOTTO LLC'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL THEIR
OPPOSITION TO WAYMO'S REQUEST
TO FILE MOTION *IN LIMINE*
REGARDING THE STROZ FRIEDBERG
DUE DILIGENCE**

Judge: Hon. William H. Alsup
Trial Date: December 4, 2017

1 I, Maxwell V. Pritt, declare as follows:

2 1. I am Counsel with the law firm Boies Schiller Flexner LLP, representing Defendants
 3 Uber Technologies Inc. and Ottomotto LLC (collectively, “Uber”) in this matter. I am a member in
 4 good standing of the Bar of the State of California, and I make this declaration in support of Uber’s
 5 Administrative Motion to File Under Seal Its Opposition To Waymo’s Request To File a Motion *in*
 6 *Limine* Regarding the Stroz Friedberg Due Diligence. I make this declaration based on personal
 7 knowledge and if called as a witness, I could and would competently testify to the matters set forth
 8 herein.

9 2. I have reviewed the following documents and confirm that only the portions identified
 10 below merit sealing:

12 Document	13 Portions to Be Filed Under Seal	14 Designating Party
Precis Opposition Brief	Green-highlighted portions	Plaintiff
Exhibit 2 to the Declaration of Maxwell V. Pritt (“Pritt Decl.”)	Entire Document	Plaintiff
Exhibit 3 to the Pritt Decl.	Entire Document	Plaintiff
Exhibit 4 to the Pritt Decl.	Entire Document	Plaintiff
Exhibit 5 to the Pritt Decl.	Entire Document	Plaintiff
Exhibit 6 to the Pritt Decl.	Entire Document	Plaintiff
Exhibit 7 to the Pritt Decl.	Entire Document	Plaintiff
Exhibit 8 to the Pritt Decl.	Entire Document	Plaintiff

21 3. The green-highlighted portions of the Precis Opposition Brief and the entirety of Exhibits
 22 2, 3, 4, 5, 6, 7, and 8 contain information that Waymo considers or may consider “Confidential” and/or
 23 Highly Confidential – Attorneys’ Eyes Only” under the Protective Order, or that Waymo asked Uber to
 24 file under seal.

25 4. Exhibits 2, 3, 4, 5, 6, 7, and 8 are excerpts of deposition transcripts. Filing the entirety of
 26 deposition transcripts excerpts under seal is consistent with a protocol that the parties agreed upon and
 27

1 the Special Master entered on October 24, 2017, directing the parties to follow regarding confidentiality
2 in this case.

3 5. Defendants' request to seal is narrowly tailored to those portions of the Precis Opposition
4 Brief and Exhibits 2, 3, 4, 5, 6, 7, and 8 that merit sealing under the local rules and the protocol entered
5 by the Special Master.

6 6. Pursuant to Civil Local Rule 79-5(d)(2), Uber will lodge with the Clerk the highlighted
7 versions documents at issue, with accompanying chamber copies.

8 I declare under penalty of perjury under the laws of the United States that the foregoing is true
9 and correct. Executed this 25th day of October, 2017, in Oakland, California.

10 11 */s/ Maxwell V. Pritt*
12 Maxwell V. Pritt

13 14 **ATTESTATION OF E-FILED SIGNATURE**

15 I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this
16 Declaration. In compliance with General Order 45, X.B., I hereby attest that Maxwell V. Pritt has
17 concurred in this filing.

18 19 */s/ Karen L. Dunn*
20 Karen L. Dunn